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Attorneys for Defendant  
NATIONWIDE MUTUAL LIFE INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

11 SEAN MICHAEL CARTER, ) CASE NO. 3:07-CV-05588 CRB  
12 Plaintiff, )  
13 v. )  
14 K&K INSURANCE GROUP, INC., ) STIPULATION AND ORDER TO EXTEND  
d/b/a SPECIALTY BENEFITS ) TIME FOR COMPLETION OF ADR  
15 ADMINISTRATOR, INC.; NATIONWIDE ) (MEDIATION) AND FOR CONTINUANCE  
LIFE INSURANCE COMPANY; ) OF INITIAL CASE MANAGEMENT  
16 NATIONWIDE MUTUAL INSURANCE ) CONFERENCE;  
COMPANY; AON CORPORATION, and )  
17 DOES 1-100, ) (PROPOSED) ORDER.  
18 Defendants. )

## RECITALS

21       1. Plaintiff Sean Michael Carter (“Plaintiff”) and Defendant Nationwide Mutual  
22 Insurance Company (“Nationwide”), collectively referred to herein as “the Parties,” stipulated to  
23 submit this matter to private mediation, which by order of the Court was to have been completed  
24 no later than March 24, 2008:

25       2. The Parties were scheduled to engage in mediation with the Honorable Eugene F.  
26 Lynch, Judge (ret.), on March 12, 2008. However, the mediation session had to be postpone when  
27 Judge Lynch became unavailable due to health reasons:

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1           3. In light of Plaintiff's health and certain medical care he is receiving, the  
2 unavailability of Nationwide's counsel due to his trial calendar, and Judge Lynch's availability, the  
3 Parties have rescheduled the mediation for June 30, 2008.

4 WHEREFORE, the Parties do stipulate as follows:

## **STIPULATION**

6 It is hereby stipulated by Plaintiff and Nationwide, by and through their counsel of record,  
7 and pursuant to Local Rule 6-2(a):

- 8       1. The Parties will proceed to mediation with Judge Lynch on June 30, 2008;

9       2. By presentation of this Stipulation to the Court, the Parties request that the Court

10      extend the deadline for completion of mediation (or other method of ADR) to

11      July 15, 2008;

12      3. By presentation of this Stipulation to the Court, the Parties request that the Court

13      continue the initial case management conference, presently scheduled for April 25,

14      2008, to a date on or after July 16, 2008.

## IT IS SO STIPULATED.

18 || Dated: April \_\_, 2008

**GOLDSTEIN GELLMAN MELBOSTAD GIBSON  
& HARRIS, LLP**

By \_\_\_\_\_ /S/  
Lee S. Harris  
Michael W. Flynn  
Attorneys for Plaintiff  
SEAN MICHAEL CARTER

24 | Dated: April \_\_, 2008

# LEWIS BRISBOIS BISGAARD & SMITH LLP

By \_\_\_\_\_ /S/  
Julian J. Pardini  
**Stephen J. Liberatore**  
Attorneys for Defendants  
NATIONWIDE MUTUAL INSURANCE COMPANY

## ORDER

Pursuant to the Stipulation of the Parties set forth above:

The Court hereby orders and decrees as follows:

1. The period in which the Parties have to submit this matter to mediation (or other selected method of ADR) shall be, and hereby is, extended to July 15, 2008;
  2. The initial case management conference shall be, and hereby is, continued to July 25, 2008, at 8:30 a.m., in Courtroom 8 of the above-entitled Court, located at 450 Golden Gate Avenue, 19th Floor, San Francisco, CA 94102; and
  3. The Parties' case management conference statements shall be due on July 18, 2008.

IT IS SO ORDERED.

Dated: April 07, 2008

